

Application No. 09/997,137

JUL 14 2006

Page 6

**REMARKS****Overview**

Claims 1-6 and 10-17 are pending in the present application. Claims 1-6 and 10-17 are rejected under this Office Action. Claims 1, 10, and 16 are objected under 35 U.S.C. 112 as failing to provide an enabling disclosure in the specification. Claims 1-2 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Klimenko (US 5,974,547). Claims 10-13 and 16-17 are rejected under 35 U.S.C. 103(a) as being obvious over Kedem et al (US 6,477,624) in view of Klimenko (US 5,974,547).

The Applicant has amended claims 1, 5, 10, and 14-17, and submits that claims 1-6 and 10-17 as enclosed with the present response are patentable over the art cited by the Examiner, also in view of the following comments.

**Claim 1**

Claim 1 has been objected under 35 U.S.C. § 112, 1<sup>st</sup> paragraph. Applicants submit that claim 1 as amended is in compliance with 35 U.S.C. § 112, 1<sup>st</sup> paragraph. In particular, the sentences including "at least one interface signal", "data package", and "network packet" have been canceled from the claim. Applicants believe that amended claim 1 is supported by the specification of the application. For example, support for the wording "*a hard disk access command originally transmitted from the diskless client to a hard disk of the diskless client*" can be found, by way of example and not of limitation, at page 5, lines 4-6 of the originally filed application.

Claim 1 is rejected under 35 U.S.C. § 102(b) as being anticipated by Klimenko. Applicants respectfully disagree and submit that claim 1 as amended is novel over Klimenko.

Application No. 09/997,137

Page 7

Claim 1 recites “a diskless client, comprising a transforming device, which retrieves a hard disk access command originally transmitted from the diskless client to a hard disk of the diskless client, packs the hard disk access command and an identity number relative to the diskless client into a package, and delivers the package to a network.” To the contrary, Klimenko is about “network booting of an operating system to a client computer” (see, e.g., column 6, lines 9-10 of Klimenko). Because Klimenko is concerned with “booting”, there is no hard disk in the client PC 10 (see, e.g., Figs. 1 and 2A), and there is no mention of a “hard disk access commands originally transmitted from the diskless client to a hard disk of the diskless client”. The client PC 10 in Klimenko retrieves the corresponding client specific image 280<sub>1-n</sub> stored in hard disk 54 of remote server 50 through BOOTP, DHCP, or RATFTP protocols (the network connection between client PC 10 and the booting server 50 is built through the BOOTP server 232, DHCP server 234, or RATFTP server 236 of the TCP server 230 in Fig. 2 of Klimenko), and the client PC 10 does not pack hard disk access commands originally transmitted from the diskless client to a hard disk of the diskless client and an identity number relative to the diskless client into a package and deliver the package to a network.

Claim 1 also recites “a diskless client, comprising a transforming device, which packs the hard disk access command and an identity number relative to the diskless client into a package, and delivers the package to a network.” On the other hand, Klimenko identifies a client PC 10 according to the MAC address of network interface card of the client PC 10 (column 7, lines 11-15 of Klimenko). The MAC address of network interface card of the client PC 10, however, is not identical to an “identity number relative to the diskless client”, because a client PC may be simultaneously equipped with multiple network interface cards and have multiple MAC addresses. In such a case, the server must have multiple images corresponding to different MAC addresses of the same client PC, differently from what recited in claim 1.

Application No. 09/997,137

Page 8

Thus, Klimenko fails to disclose *"a diskless client, comprising a transforming device, which retrieves a hard disk access command originally transmitted from the diskless client to a hard disk of the diskless client, packs the hard disk access command and an identity number relative to the diskless client into a package, and delivers the package to a network."*

For the reasons stated above, it is Applicants' belief that Klimenko does not teach or suggest all the limitations of amended claim 1. It is therefore submitted that amended claim 1 is patentable. Since claims 2-6 and 14-15 directly or indirectly depend on the amended claim 1, claims 2-6 and 14-15 are patentable by virtue of their dependency from patentable amended claim 1.

#### **Claim 10**

Claim 10 has been objected under 35 U.S.C. § 112, 1<sup>st</sup> paragraph. Applicants submit that claim 10 as amended is in compliance with 35 U.S.C. § 112, 1<sup>st</sup> paragraph. In particular, the sentences including "at least one interface signal", "data package", and "network packet" have been canceled from the claim. Applicants believe that amended claim 10 is supported by the specification of the application.

Claim 10 is rejected under 35 U.S.C. § 103(a) as being obvious over Kedem in view of Klimenko. Applicants respectfully disagree and submit that claim 10 as amended is not obvious over Kedem in view of Klimenko.

Claim 10 recites *"an interface circuit, used to receive a hard disk access command originally transmitted from the diskless client to a hard disk of the diskless client".* In Kedem, computer 100 has both a local hard disk 110 and a remote storage area in RDIM

Application No. 09/997,137

Page 9

204. Therefore, the interface circuit 312 of LDIM card 310 must differentiate the hard disk access commands of the local disk 110 and the hard disk access commands of the remote storage area. Thus, the hard disk access commands of the remote storage area must not be identical to the hard disk access commands of the local disk 110. Therefore, Kedem does not disclose *"an interface circuit, used to receive a hard disk access command originally transmitted from the diskless client to a hard disk of the diskless client,"* similarly to what explained with reference to amended claim 1.

In addition, neither Kedem nor Klimenko disclose *"a logical circuit, connected to the interface circuit, for packing both the hard disk access command and an identity number unique to the diskless client into a package."* In particular, both Klimenko and Kedem identify a client PC according to the MAC address of network interface card of the client PC. The MAC address of network interface card of the client PC is not identical to an *"identity number relative to the diskless client"*.

Thus, neither Kedem nor Klimenko, alone or in combination, teach or suggest all the limitations of amended claim 10. It is therefore submitted that amended claim 10 is patentable. Since claims 11-13 and 16-17 directly or indirectly depend on amended claim 10, claims 11-13 and 16-17 are patentable by virtue of their dependency on patentable amended claim 10.

\* \* \* \* \*

Application No. 09/997,137

JUL 14 2006

Page 10

Conclusion

In view of the above, reconsideration and allowance of all the claims are respectfully solicited.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, fax no. (571) 273-8300 on

July 14, 2006  
(Date of Transmission)

Shannon Tinsley  
(Name of Person Transmitting)

*Shannon Tinsley*  
(Signature)

7/14/06  
(Date)

Respectfully submitted,

*Alessandro Steinfl*

Alessandro Steinfl  
Attorney for the Applicant  
Reg. No. 56,448  
LADAS & PARRY  
5670 Wilshire Boulevard,  
Suite 2100  
Los Angeles, California 90036  
(323) 934-2300 voice  
(323) 934-0202 facsimile